

SEP 18 1992

Docket Nos. 50-352
50-353

EA No.: 92-164

Mr. D. M. Smith
Senior Vice President - Nuclear
Philadelphia Electric Company
Nuclear Group Headquarters
Correspondence Control Desk
Post Office Box 195
Wayne, Pennsylvania 19087-0195

Dear Mr. Smith:

Subject: ENFORCEMENT CONFERENCE BASED ON DOL ADMINISTRATIVE LAW
JUDGE RECOMMENDED DECISION AND ORDER THAT A CONTRACTOR
WAS DISCRIMINATED AGAINST BY PROTECTION TECHNOLOGY
INCORPORATED (PTI) AT LIMERICK

On June 22, 1992 a Department of Labor (DOL) Administrative Law Judge (ALJ) issued a recommended Decision and Order which indicated that a former contract employee at the Limerick facility was discriminated against by Protection Technology Incorporated (PTI), his employer, for raising concerns regarding a security matter while performing his duties at Limerick (Reference: 92-ERA-27). The employee filed his complaint with the DOL on January 30, 1992, alleging that he was improperly suspended and then terminated for raising a security concern.

Based on the ALJ finding, it appears that a violation of 10 CFR Part 50.7 occurred. Accordingly we are reviewing this apparent violation for appropriate enforcement action. We have scheduled an enforcement conference with you at 10:00 a.m. on October 19, 1992 in the NRC Region I office in King of Prussia, PA to discuss this apparent violation, its causes, and your corrective actions. In addition, at the conference you should also be prepared to discuss the reviews conducted by the Philadelphia Electric Company of the basis for those PTI actions that led to the termination of the contract employee and the actions taken or planned to assure that adequate oversight of contractor activities will be maintained in the future to preclude any incidents of discrimination.

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In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter will be placed in the NRC Public Document Room.

Sincerely,

ORIGINAL SIGNED BY:

Charles W. Hehl, Director
Division of Reactor Projects

cc w/encl:

R. Charles, Chairman, Nuclear Review Board
D. R. Helwig, Vice President - Limerick Generating Station
G. J. Beck, Manager - Licensing Section
G. Madsen, Regulatory Engineer - Limerick Generating Station
Secretary, Nuclear Committee of the Board
Public Document Room (PDR)
Local Public Document Room (LPDR)
Nuclear Safety Information Center (NSIC)
K. Abraham, PAO (2)
NRC Resident Inspector
Commonwealth of Pennsylvania

bcc w/encl:

Region I Docket Room (with concurrences)
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C. Anderson, DRP
R. Lobel, OEDO
R. Clark, NRR
C. Hehl, DRP
W. Hodges, DRS
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B. Norris, DRP
C. Miller, PDI-2, NRR
D. Holody, EO

c/a
RI:DRP

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